

20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dunn et al. in view of Eting et al.

Applicants respectfully traverse the Examiner's rejections to the extent that they are maintained. In this paper, Applicants have canceled claims 7, 12, 17 and 24 without prejudice and amended claims 1, 8, 10, 13, 22, 25 and 27. Applicants respectfully submit that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed. Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attachment is captioned "Version with Markings to Show Changes Made."

Now turning to the Examiner's rejections, and first to claim 1, this claim has been amended to incorporate the subject matter of claim 7, which was rejected by the Examiner as being obvious in view of Dunn et al. and Eting et al. (claim 7 has also been canceled without prejudice, and claim 8 has been amended to depend from claim 1). Applicants respectfully traverse the Examiner's rejection based upon the fact that Dunn et al. is not properly citeable in an obviousness rejection pursuant to 35 U.S.C. § 103(c), as the reference is only citeable against the instant application based upon 35 U.S.C. § 102(e) (given its issue date is subsequent to Applicants' effective filing date), and as the reference was commonly owned with the instant application at the time the invention of the instant application was made. See MPEP 706.02(I). As evidence of such common ownership, Applicants refer to the Examiner to Reel 8185, Frame 663, and Reel 10554, Frame 270 of the USPTO Assignment Records.

Accordingly, Applicants respectfully submit that claim 1 is novel and non-obvious over the art that is properly citeable against the present application. Reconsideration and allowance of claim 1, as well as claims 2-6 and 8-9 which depend therefrom, are respectfully requested.

Next, with respect to independent claim 10, this claim was rejected as being anticipated by Eting et al. Claim 10 generally recites a method of processing a voice message, which includes performing voice recognition on at least a portion of the voice

message to detect a spoken number in the voice message, and automatically dialing the detected spoken number. Claim 10 has also been amended to incorporate the subject matter of claim 12, which additionally recites the step of determining that the spoken number is a telephone number (claim 12 has also been canceled without prejudice).

Applicants respectfully submit that Eting et al. does not disclose or suggest the automated determination or detection of whether a spoken number is a telephone number. As described, for example, at page 16, lines 14-22 of the application, one aspect of Applicants' invention is that of confirming whether a sequence of numbers constitutes a likely telephone number. Such detection may be performed, for example, by determining the number of digits, determining whether a sequence of digits matches a number format recognized by a voice communications system, and/or utilizing a telephone directory service to determine whether a valid number exists (as described at page 19, lines 1-7). By incorporating such functionality, the occurrence of improper calls being made may be decreased.

Eting et al. does disclose the automated dialing of spoken numbers in a voice mail message. However, no functionality is disclosed or suggested in the reference of verifying whether a particular number that a user requests to dial is or is not a telephone number.

In rejecting claim 12, the Examiner relies on Fig. 4 of Eting et al., which discloses a telephone number memory that stores recognized numbers as telephone numbers. However, neither Fig. 4, nor the text that describes the figure, discusses any automated method of determining whether or not a recognized number is actually a telephone number. Given also that Applicants' claimed functionality provides a unique advantage in terms of reducing the likelihood of a user dialing an incorrect number, Applicants respectfully submit that claim 10 is novel and non-obvious over Eting et al. Reconsideration and allowance of claim 10, as well as claim 11 which depends therefrom, are therefore respectfully requested.

Next, with respect to independent claim 13, this claim recites a program, resident in a memory and configured to perform voice recognition on at least a portion of a voice message stored in that memory to generate a textual representation of the voice message. The program is also configured to detect a position of a spoken number in the textual representation of the voice message, to determine a playback start position based upon the position of the spoken number, and to play the voice message starting at the playback start position. Furthermore, claim 13 has been amended to incorporate the subject matter of claim 17, namely, that the program is further configured to receive user input to find a next number from a current playback position in the voice message, and to detect the position of the spoken number by detecting an immediately succeeding spoken number from the current playback position (claim 17 has also been canceled without prejudice).

In rejecting claim 17, the Examiner argues that Dunn et al. teaches enabling a user to control message playback to find previous or next numbers, relying on Figs. 1 and 7B, column 7, lines 8-18 and column 8, lines 20-27.

Fig. 7B of Dunn et al., however, discloses the user options in blocks 71-73 that a user can undertake when listening to a voice message. Those options are described at column 7, lines 8-18 as being continuing playout, pausing playout momentarily, and replaying a portion of a message associated with a set of displayed numbers. Note also that block 73 is entitled "Reply Prior Portion" in Fig. 7B.

While Dunn et al. may arguably disclose locating a previous number from a current playback position, Dunn et al. does not clearly disclose finding a next number by detecting an immediately succeeding spoken number from a current playback position. At the most, the Examiner may argue that Dunn et al. suggests the complimentary function of skipping ahead to a next spoken number. However, the lack of the disclosure of this feature in Dunn et al. precludes a rejection of the claim based upon anticipation. The only rejection the Examiner may make in this instance against claim 13 is one of obviousness, and as described above in connection with claim 1, Dunn et al. is not properly citeable in an obvious context. Accordingly, Applicants respectfully submit that

claim 13 is patentable over the prior art of record. Reconsideration and allowance of claim 13, as well as claims 14-16 and 18-21 which depend therefrom, are therefore respectfully requested.

Next, with respect to independent claim 22, this claim has been amended to incorporate the subject matter of claim 24 (which has been canceled without prejudice), to now recite detecting whether a spoken number is a telephone number, in a similar manner to claim 10. Therefore, claim 22 is also patentable over the prior art of record based upon the same reasons as presented above with respect to claim 10. Reconsideration and allowance of claim 22, as well as claim 23 which depends therefrom, are therefore respectfully requested.

Next, with respect to independent claim 25, this claim has been amended to recite the detection of whether a spoken number is a telephone number. As described above in connection with claim 10, this feature is not disclosed or suggest by the prior art of record. With respect specifically to Dunn et al., which has been used to reject claim 25, the Examiner cites column 4, lines 33-40 as allegedly teaching detection of numbers to be telephone numbers (see the rejections of claims 9 and 21). However, the cited passage discloses only that numbers can be telephone numbers. However, Dunn et al. still requires a user to make the determination of whether a sequence of numbers is in fact a telephone number, given that all numbers are displayed on the Dunn et al. display. There is no specific disclosure in Dunn et al. as to any functionality within a program that detects whether or not a spoken number is a telephone number. Accordingly, claim 25 as amended is novel over Dunn et al. Furthermore, Dunn et al. is not properly citeable against claim 25 in an obviousness rejection. Accordingly, reconsideration and allowance of claim 25, as well as claim 26 which depends therefrom, are therefore respectfully requested.

Finally, as to independent claim 27, this claim has been amended in a similar manner to claims 10 and 22 to recite a program that is configured to detect whether a spoken number is a telephone number. As described above in connection with these

aforementioned claims, the prior art of record does not disclose or suggest this claimed feature. Reconsideration and allowance of claim 27 are therefore respectfully requested.

In summary, Applicants respectfully submit that all pending claims are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

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Date

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Version with Markings to Show Changes Made

Claims 7, 12, 17 and 24 have been canceled, and claims 1, 8, 10, 13, 22, 25 and 27 have been amended as outlined below. The currently pending claims, including the aforementioned amendments, are as follows:

- 1 1. (Once Amended) A method of processing a voice message, the method
2 comprising:
 - 3 (a) performing voice recognition on at least a portion of the voice message
4 to generate a textual representation of the voice message;
 - 5 (b) detecting a position of a spoken number in the textual representation
6 of the voice message;
 - 7 (c) determining a playback start position based upon the position of the
8 spoken number; [and]
 - 9 (d) playing the voice message starting at the playback start position; and
10 (e) automatically dialing the spoken number.
- 1 2. The method of claim 1, wherein the spoken number includes a plurality of
2 spoken digits, and wherein detecting the position of the spoken number includes detecting
3 a start position of a leading digit in the plurality of spoken digits.
- 1 3. The method of claim 1, wherein determining the playback start position
2 includes setting the playback start position to a position earlier than the position of the
3 spoken number.
- 1 4. The method of claim 1, further comprising receiving user input to find a
2 previous number from a current playback position in the voice message, wherein

3 detecting the position of the spoken number includes detecting an immediately preceding
4 spoken number from the current playback position.

1 5. The method of claim 1, further comprising receiving user input to find a next
2 number from a current playback position in the voice message, wherein detecting the
3 position of the spoken number includes detecting an immediately succeeding spoken
4 number from the current playback position.

1 6. The method of claim 1, further comprising displaying at least a portion of the
2 textual representation to a user.

1 7. (Canceled)

1 8. (Once Amended) The method of claim [7] 1, wherein automatically dialing the
2 spoken number is performed in response to user input.

1 9. The method of claim 1, wherein detecting the spoken number includes
2 detecting that the spoken number is a telephone number.

1 10. (Once Amended) A method of processing a voice message, the method
2 comprising:

3 (a) performing voice recognition on at least a portion of the voice message
4 to detect a spoken number in the voice message;

5 (b) determining that the spoken number is a telephone number; and

6 (c) [(b)] automatically dialing the detected spoken number.

1 11. The method of claim 10, wherein automatically dialing the detected spoken
2 number is performed in response to user input.

1 12. (Canceled).

1 13. (Once Amended) An apparatus, comprising:

2 (a) a memory within which is resident a voice message; and

3 (b) a program resident in the memory and configured to perform voice
4 recognition on at least a portion of the voice message to generate a textual
5 representation of the voice message, to detect a position of a spoken number in the
6 textual representation of the voice message, to determine a playback start position
7 based upon the position of the spoken number, and to play the voice message
8 starting at the playback start position, wherein the program is further configured to
9 receive user input to find a next number from a current playback position in the
10 voice message, and wherein the program is configured to detect the position of the
11 spoken number by detecting an immediately succeeding spoken number from the
12 current playback position.

1 14. The apparatus of claim 13, wherein the spoken number includes a plurality of
2 spoken digits, and wherein the program is configured to detect the position of the spoken
3 number by detecting a start position of a leading digit in the plurality of spoken digits.

1 15. The apparatus of claim 13, wherein the program is configured to determine
2 the playback start position by setting the playback start position to a position earlier than
3 the position of the spoken number.

1 16. The apparatus of claim 13, wherein the program is further configured to
2 receive user input to find a previous number from a current playback position in the voice
3 message, and wherein the program is configured to detect the position of the spoken

4 number by detecting an immediately preceding spoken number from the current playback
5 position.

1 17. (Canceled).

1 18. The apparatus of claim 13, wherein the program is further configured to
2 display at least a portion of the textual representation to a user.

1 19. The apparatus of claim 13, wherein the program is further configured to
2 automatically dial the spoken number.

1 20. The apparatus of claim 19, wherein the program is configured to
2 automatically dial the spoken number in response to user input.

1 21. The apparatus of claim 13, wherein the program is configured to detect
2 whether the spoken number is a telephone number.

1 22. (Once Amended) An apparatus, comprising:
2 (a) a memory within which is resident a voice message; and
3 (b) a program resident in the memory and configured to perform voice
4 recognition on at least a portion of the voice message to detect a spoken number
5 in the voice message, to detect whether the spoken number is a telephone number,
6 and to automatically dial the detected spoken number.

1 23. The apparatus of claim 22, wherein the program is configured to
2 automatically dial the spoken number in response to user input.

1 24. (Canceled).

1 25. (Once Amended) A program product, comprising:
2 (a) a program configured to perform voice recognition on at least a
3 portion of a voice message to generate a textual representation of the voice
4 message, the program further configured to detect a position of a spoken number
5 in the textual representation of the voice message, to determine a playback start
6 position based upon the position of the spoken number, to detect whether the
7 spoken number is a telephone number, and to play the voice message starting at
8 the playback start position; and
9 (b) a signal bearing medium bearing the program.

1 26. The program product of claim 25, wherein the signal bearing medium
2 includes at least one of a transmission medium and a recordable medium.

1 27. (Once Amended) A program product, comprising:
2 (a) a program configured to perform voice recognition on at least a
3 portion of a voice message to detect a spoken number in the voice message, to
4 detect whether the spoken number is a telephone number, and to automatically
5 dial the detected spoken number; and
6 (b) a signal bearing medium bearing the program.